

might become all the more difficult by a failure to work out serious differences.

May all that is done today be for Your greater honor and glory.
Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Maryland (Mr. HOYER) come forward and lead the House in the Pledge of Allegiance.

Mr. HOYER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

SUPPORT OUR TROOPS AND MILITARY FAMILIES

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, the National Defense Authorization Act, NDAA, is bipartisan legislation that our Nation has depended upon for decades to support our servicemembers and military families. In its entire history, the NDAA has been vetoed only four times. By vetoing it last week, the President has made history and, as The Washington Post has identified, "not in a good way."

I am grateful for the leadership of the House Armed Services Committee Chairman MAC THORNBERRY and Senate Armed Services Committee Chairman JOHN MCCAIN as Congress works to fulfill its highest constitutional duty to provide for our common defense to protect American families from attacks with worldwide conflicts at record levels.

As a grateful father of four sons currently serving in the military and as a 31-year Army veteran myself, I know firsthand the importance of the NDAA to promote peace through strength.

The NDAA is and always has been bipartisan legislation because the safety of American families is more important than partisan politics. I encourage all Members of Congress to unite on voting to override the President's veto.

In conclusion, God bless our troops, and the President by his actions must never forget September the 11th in the global war on terrorism.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following commu-

nication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 26, 2015.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 26, 2015 at 1:17 p.m.:

That the Senate passed S. 1493.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 3 minutes p.m.), the House stood in recess.

□ 1832

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DOLD) at 6 o'clock and 32 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 597, REFORM EXPORTS AND EXPAND THE AMERICAN ECONOMY ACT

Mr. FINCHER. Mr. Speaker, pursuant to clause 2 of rule XV, I call up motion No. 2, to discharge the Committee on Rules from the further consideration of House Resolution 450, providing for the consideration of the bill (H.R. 597) to reauthorize the Export-Import Bank of the United States, and for other purposes.

The SPEAKER pro tempore. Did the gentleman sign the petition?

Mr. FINCHER. Yes.

The SPEAKER pro tempore. The gentleman from Tennessee calls up a motion to discharge the Committee on Rules from further consideration of House Resolution 450, which the Clerk will report by title.

POINT OF ORDER

Mr. MULVANEY. Mr. Speaker, point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. MULVANEY. Mr. Speaker, pursuant to rule XV, section 2(d)(1), I make a point of order that this motion is not timely brought.

The rule specifically says that, "On the second and fourth Mondays of a month," which is what we are today, "immediately after the Pledge of Allegiance to the Flag, a motion to discharge that has been brought on the calendar for at least seven legislative days shall be privileged if called up by a Member whose signature appears thereon."

We had the pledge and the prayer earlier today. We also then had intervening activity in the House, and this motion is no longer timely.

The SPEAKER pro tempore. Does any other Member wish to be heard on the point of order?

Mr. MULVANEY. I would point out, Mr. Speaker, that we took up 1-minute speeches; we received a message from the Senate; and you, yourself, approved the Journal.

The SPEAKER pro tempore. Does any other Member wish to be heard on the point of order?

Mr. FINCHER. Mr. Speaker, I think my friend from South Carolina, the gentleman, is out of order. This is regular order. We are moving on as procedure.

Mr. MULVANEY. Mr. Speaker, while you are continuing, I would like you to consider one thing.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. MULVANEY. The rule is very explicit. The rule does not say that we may not take—the rule says that we must proceed immediately. I recognize the fact that on occasion 1-minute speeches are not considered business of the House, that receiving messages from the Senate are not considered business of the House, and, on occasion, a Journal is not considered business of the House even though, from time to time, we do vote on it.

The rule does not say that we cannot do other business. The rule says we can't do anything, that we must proceed immediately after the Pledge of Allegiance, and that if the motion is brought at any other time it is untimely.

The SPEAKER pro tempore. Does any other Member wish to be heard on this point of order? If not, the Chair will rule.

The rule does not say that the motion to discharge must be—it just says that it can be—brought up immediately.

Today's proceedings are consistent with previous occasions where the Chair has entertained 1-minute speeches on discharge days, and those speeches proceeded by unanimous consent.

On those grounds, the point of order is overruled.

PARLIAMENTARY INQUIRIES

Mr. MULVANEY. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. MULVANEY. Does the language of section 2(d)(1) not specifically say "shall be privileged if called up"? It is not "may." It is "shall . . . if . . ."

The SPEAKER pro tempore. The rule is not so limited. The motion would be in order if it were to be brought up then, and it is also in order to be brought up now.

Mr. MULVANEY. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. MULVANEY. If 2(d)(1) says that it shall be in order if brought up at this particular time but the Chair is ruling that it may be in order at other times, what rule is the Chair relying on for that determination?

The SPEAKER pro tempore. There is nothing in the rule that requires the motion to discharge to be brought up immediately following the Pledge of Allegiance.

Mr. MULVANEY. Further point, Mr. Speaker. The only way that it is privileged is that if it was brought up immediately after the pledge.

The SPEAKER pro tempore. The Chair is also following prior practice of the House in entertaining the motion.

Mr. MULVANEY. I'm sorry, and Mr. Speaker, when you were giving your decision before, I was reading the rule.

Would you please restate the basis for your decision.

The SPEAKER pro tempore. The Chair has entertained 1-minute speeches on previous discharge days. Those speeches proceeded by unanimous consent. On those grounds, the point of order was overruled.

Mr. MULVANEY. Mr. Speaker, you did not address, then, my issue on receiving a message from the Senate or approving the Journal.

The SPEAKER pro tempore. The Chair has entertained numerous parliamentary inquiries on a matter on which the Chair has already ruled.

Mr. MULVANEY. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. MULVANEY. Would the decision have been different if we had not made 1-minute speeches?

The SPEAKER pro tempore. The Chair cannot respond to a hypothetical question.

The Clerk will report the title of the resolution.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Under the rule, the gentleman from Tennessee (Mr. FINCHER) will be recognized for 10 minutes and the gentleman from Texas (Mr. HENSARLING) will be recognized for 10 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. FINCHER. Mr. Speaker, I yield myself such time as I may consume.

Even though discharge petitions have rarely been invoked in modern history, they nevertheless embody democracy and its fundamental principle of majority rules, a principle that the gentleman has already talked about earlier. This discharge process offers the only means by which a majority of House Members can secure a vote on a measure that is opposed by the chairman of the committee of jurisdiction and House leadership.

What makes the gentleman's remarks a few minutes ago particularly ironic is the fact that the discharge rule evolved from a precursor rule

adopted in 1910 as part of the Cannon revolt. The Cannon revolt was a revolt against Speaker Joseph Cannon. It was a remarkable event in the history of this House and is relevant today in more ways than one.

Speaker Cannon was, at the time, the longest-serving Republican Speaker in the history of the House, serving as Speaker from 1903 to 1911. Referred to as "Uncle Joe," Speaker Cannon ruled with an iron fist. Historians have not painted him as a great legislator. No.

Historians have painted him as a great obstructionist. He blocked legislation, including child labor laws and the right for women to vote. What was his reasoning for blocking this progressive legislation? "I am tired of listening to all this babble for reform," he said.

Several times, Republicans tried unsuccessfully to curb Speaker Cannon's broad powers, which included his chairmanship of the Rules Committee and his power to dole out committee assignments, among other powers. But that changed in March of 1910 when 42 Republicans joined with the Democrats introducing a resolution containing a rules package that would strip Speaker Cannon of his many powers.

Speaker Cannon tried to filibuster this revolt, speaking from the chair for 26 straight hours while allies tried to round up additional allies who were out celebrating St. Patrick's Day, but it didn't work. Speaker Cannon finally ruled the resolution out of order, but the House overruled the Chair, thereby adopting far-reaching reforms, including the precursor of today's discharge rule.

I ask my colleagues to join me in returning power to rank-and-file Members by voting on the motion to discharge and supporting American jobs.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield myself as much time as I may consume.

First, Mr. Speaker, I want to recognize the gentleman from Tennessee and the passion that he brings to this debate. He has long been a champion of the Export-Import Bank. We have had a respectful disagreement over the substance of the issue, but at this moment I don't care to spend much time on the substance of the issue because we are debating a discharge petition.

Mr. Speaker, it was an interesting history lesson that my colleague and friend introduced the House to, and I have no reason to doubt that it is an accurate history lesson. I will note for the RECORD that apparently somehow Mr. Cannon managed to get a building named after him.

But the point I would make is this: whether the gentleman from Tennessee and others have disagreed with process at the Financial Services Committee—I know that they do—but the question before us, Mr. Speaker, is why punish the entirety of the House?

Those who are bringing forth this discharge petition had the opportunity

to allow Members on both sides of the aisle to offer amendments. People who were not on the Financial Services Committee could have had the opportunity to offer amendments, but not under this particular discharge petition.

So, Mr. Speaker, the real complaint I have here is, regardless of what complaints or beefs they may have against me personally or against the process of the Financial Services Committee, why punish the entirety of the House?

We hear so much about regular order and about empowering rank-and-file Members. Well, then, why aren't rank-and-file Members, then, empowered to offer amendments? We were told that it was simply to discharge a single piece of legislation. Then why not, at this point, let the House work its will?

Unfortunately, Mr. Speaker, that doesn't appear to happen. I perfectly understand that one man's economic development is another man's corporate welfare, and I think that debate will happen tomorrow. But here, right now, simply because there is a rule to have a discharge petition that would disqualify any Member from offering an amendment doesn't mean we should necessarily avail ourselves of it.

The Constitution allows us to create debt. It doesn't mean it is a good thing for us to do that as we face yet another debt ceiling vote in front of us.

So, Mr. Speaker, I would simply hope that Members would vote down this discharge petition, and if they believe strongly in it, then bring back another one, but at least allow Members on the floor to offer amendments. Republicans, Democrats, and people from all committees should be able to offer the amendments if that was the purpose of the discharge petition.

Mr. Speaker, I reserve the balance of my time.

Mr. FINCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank my friend for yielding.

Mr. Speaker, I will say to my friend from Texas, there were 3 years to do exactly that. It wasn't done.

I thank the gentleman from Tennessee for yielding, and I thank him for his courage and Mr. LUCAS' courage for working within the rules to bring this matter to the floor. It is an important matter.

□ 1845

Since July, businesses and workers across the country have been asking Congress to reopen the Export-Import Bank so that they could compete on a level playing field in overseas markets. This is about jobs and a competitive America. Opening the Export-Import Bank, Mr. Speaker, is about creating and keeping jobs here in America.

A motion on the floor tonight will demonstrate that a majority of this House supports taking action to pass a multiyear extension of the Bank's charter authority. We will have a

chance to show the American people that Congress can work together, Democrats and Republicans, to get something done that helps businesses and workers compete and create jobs.

Mr. HECK of Washington. Will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Washington.

Mr. HECK of Washington. Mr. Speaker, I rise to ask my friends and colleagues to support Mr. FINCHER of Tennessee on his motion in his effort to subject this issue to regular order. This is regular order. This is the only regular order that we are going to be given to have a chance to take up this job-creating legislation. I know this for a fact. It is not speculation.

On February 12, they offered an amendment to the views and estimates on the budget that said, in part, the committee will work to consider reauthorization of the Bank through regular order that lets all sides be heard, and the leadership of the committee said, "Vote 'no.'" There was never an intention to subject this issue to regular order. Now is our chance to do that.

Support the gentlemen from Tennessee and Oklahoma and vote "yes" on this.

Mr. HOYER. Mr. Speaker, reclaiming my time, I thank Mr. FINCHER, I thank Mr. LUCAS, I thank Ms. WATERS, I thank Ms. MOORE, and I thank DENNY HECK.

Vote for this motion to put a bill on the floor that the majority supports. That is democracy.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. HUIZENGA), chairman of the Monetary Policy and Trade Subcommittee.

Mr. HUIZENGA of Michigan. Mr. Speaker, I appreciate that, and I appreciate the leadership of my chair on this issue.

It seems to me, Mr. Speaker, we have two issues that we are dealing with today:

First is the issue, itself, of the Export-Import Bank and the entitlement mentality that has grown up here in the United States. It is sad to me that some believe that this is the only, or the best, way for the U.S. to compete on the world stage when, in fact, we know it is not.

We are at a competitive disadvantage, not because we may or may not have an Export-Import Bank, but because of our regulatory environment, because of our tax environment, and because of all of the other barriers that have been thrown up by this Congress, including health care and a number of other things that have made our companies less competitive.

The other issue is the way that we are dealing with this issue as it is coming to the floor and how it has reached the House floor today.

Mr. Speaker, I would like to know which committee chair of another committee would approve of having the

process be short-circuited out of their committee. Would it be the Energy and Commerce Committee? the Ways and Means Committee? Because I can tell you I have not been real happy, as a small business owner on some of the lack of progress that we have made on that. Maybe it would be the Agriculture Committee. Why did it take so long for things to reach the floor? How about any other committee that we are all dealing with?

The simple fact is that my subcommittee, Monetary Policy and Trade, where this jurisdiction lies, had three joint hearings with the Oversight Committee on this particular issue. There was a sunset that was put in. It was intentionally put in so that there would be a review. The review happened, and the determination of my subcommittee and this committee was that it did not warrant further action.

So, again, as we are looking at this tool that has been infrequently used, it doesn't restore regular order, as has been claimed. No. In fact, it upends the balance of power in the House. It skirts the committee process and gives the minority the control over the House floor.

A discharge petition was brought to the House floor under the guise of job creation. In reality, it serves to revive and retrench a dependency mentality.

Mr. FINCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. KINZINGER), who has done great work on this supportive piece of legislation.

Mr. KINZINGER of Illinois. Mr. Speaker, I thank the gentleman from Tennessee for his hard work.

I would remind the previous speaker that this is actually a Republican-led discharge petition for Ex-Im Bank.

We could have avoided this. None of us celebrate being here right now as Republicans. But the time to deal with the issue of Ex-Im Bank was on the committee. Unfortunately, this could have gone through the committee, this could have been voted on in committee, and it could have come to the floor in what people would consider a more regular order way than this. However, that didn't have the opportunity.

Mr. Speaker, my district is the 16th District of Illinois, and I will tell you what, they are not worried about discharge petitions and things when people talk about regular order and internal politics and what is going on here. What they care about is the fact that it is a heavy manufacturing district, and they want to be able to go to work tomorrow. They are worried because people live with the threat of pink slips, and many people actually get pink slips.

Unfortunately, in July, the charter for Ex-Im Bank expired, which put a lot of the manufacturing suppliers of the aerospace industry at a disadvantage in my district compared with those that supply to Airbus and other companies around the world. Pride in our exports and pride in our manufac-

turing is something that we should have pride in, and we should fight beyond what it means for a party label or beyond what it means for floor politics.

Mr. Speaker, the opponents of reauthorization live in a world where the politics of purity trumps the realism of today and of the economics. Here is the reality: in my district, thousands of jobs, millions of dollars of exports, and many, many people rely on this to be reauthorized.

Mr. Speaker, I know this is not easy, as Republicans, to do this, but it is the right thing to do. So I stand and I ask my colleagues on the Republican and the Democrat side of the aisle to put partisanship aside, to do the right thing, and to discharge this resolution.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. SCHWEIKERT), a valued member of the Financial Services Committee.

Mr. SCHWEIKERT. Mr. Speaker, I thank the chairman.

I hope you are all listening to some of the use of the language. I appreciated the history lesson. But has it been lost on you, the irony part of this discussion that, hey, we are going to do a discharge petition, which is part of the rules, because we don't feel we are having a voice. Oh, by the way, we are going to draft a rule—draft a rule—that you can't offer amendments, that you can't have a discussion.

For those of us who have worked on this issue for years, who have sat through dozens of hearings in multiple years, who actually have things we believe that make it better, the brilliance here is lock it down. So you are going to complain that you are not being treated fairly, and then the answer to not being treated fairly is, let's write a rule that no one gets a voice, that it is purely up or down. Is that lost on anyone here?

The reality of it is the vast majority of the trade from this country has access to surety bonds and trade credit. It is a fraction of a fraction of a fraction that actually asks for a taxpayer subsidy, a taxpayer guarantee. If you wanted to solve this problem tomorrow, you could recharter the Ex-Im Bank so that it continues to exist but get the taxpayers off the hook and let them do just as now Fannie and Freddie are trying to do where they buy their reinsurance in the market.

There are solutions here, if I was allowed to offer an amendment. But you have all chosen to write a rule that keeps those of us who have worked on this issue for years from being able to have that discussion. Is that irony lost on anyone here?

You know there is a better way to do this than extending this type of crony capitalism and leaving our taxpayers on the hook for hours and hours of hearings we have had where you have heard the bad acts that are going on in this agency—the fraud, the mis-accounting.

Why are we going to let that move forward? Because if you have read the

reforms that are in here, you would understand they already should be doing these. It is an outrage they are not.

Mr. FINCHER. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. MAXINE WATERS).

Ms. MAXINE WATERS of California. Mr. Speaker, Members, I would like to thank the gentleman from Tennessee (Mr. FINCHER) for yielding and for his leadership in initiating this very successful discharge petition in order to finally make possible the opportunity to vote to renew the charter of the Export-Import Bank.

For almost 2 years now, as ranking member of the Financial Services Committee, I have been working very hard with Leader PELOSI, Whip HOYER, and my colleagues GWEN MOORE and DENNY HECK. We have all been working hard to secure long-term reauthorization of the Bank. And today, after many months of obstruction by a vocal minority of this body, which led to a shutdown of the Ex-Im Bank, this House will finally get the opportunity to vote to do just that.

Let me be clear, Mr. Speaker, this discharge petition is not a rejection of regular order. Although rarely used, the discharge petition exists under House rules for the very purpose of ensuring that the will of a determined majority may ultimately prevail over an obstructionist minority, and that is exactly what is happening today.

Republicans and Democrats have come together to support the reauthorization of a proven job creator. We have come together to end the unilateral disarmament that has harmed our exporters, their domestic suppliers, and the many American workers across this country whose jobs are supported by the Bank. We have come together to show that compromise is possible if you are willing to work it.

So, again, I thank the gentleman from Tennessee for his work. I urge the Members to vote in favor of the motion. We have come together as Members of Congress to do the work of the people. Let's get on with the business of doing it.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. MULVANEY), another valuable member of the House Financial Services Committee.

Mr. MULVANEY. Mr. Speaker, I thank the gentleman from Texas.

I want to pick up on where my friend from Arizona left off regarding the comments about my good friend and colleague from Washington regarding regular order. It is not regular order. If we have regular order, we have amendments. I have an amendment that would protect small business. I don't get a chance to do that. We would under regular order.

But let's not forget, there is not just one committee that is getting rolled here. Rules Committee is getting rolled. And if this was to follow regular order and go to rules, every single one of you would be able to offer amend-

ments in that committee. They would probably get shot down, as mine have since I have been here, but at least you could offer them.

Furthermore, if it went to Rules Committee, you could have debate; you could participate and debate on the issues.

What is getting ready to happen here in a few minutes is Mr. FINCHER will control 1 hour of debate, he will speak for 5, and then yield back, denying every single one of you in this Chamber the opportunity to speak for at least half an hour each side on this particular issue.

This is not regular order, Mr. Speaker. This is shoving something down the American people's throats.

Let's have regular order. Let's have the amendments. I have got some ones you might actually enjoy. Let's have the debate. But let's not kid ourselves into thinking this is regular order because it is not.

Mr. FINCHER. Mr. Speaker, I have one remaining speaker. How much time do I have remaining? I want to reserve the right to close.

The SPEAKER pro tempore. The gentleman from Tennessee has 2 minutes remaining. The gentleman from Texas has 2 minutes remaining.

Mr. FINCHER. Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield myself such time as I may consume.

A lot of discussion, passionate discussion about jobs tonight.

But I would point out to my Democratic colleagues on the other side of the aisle, where was this passion when ObamaCare was passed? The Congressional Budget Office says that it is going to cost this economy 2.5 million fewer jobs.

Where was this passion when H.R. 30 came to the floor that would repeal this 30-hour definition of full-time employee? According to one study, 2.6 million Americans making under \$30,000 are at risk of having their hours cut due to the ObamaCare 30-hour rule.

Where was the passion on the other side of the aisle when H.R. 351, the LNG Permitting Certainty and Transparency Act, came? That is estimated to put up to 45,000 unemployed Americans back to work on liquid natural gas export projects.

Where was the passion when S. 1 came, the Keystone XL pipeline? The State Department's environmental impact statement said: "During construction, proposed project spending would support approximately 42,100 jobs."

But we didn't hear much from our friends on the other side of the aisle when this was going on.

□ 1900

But, again, I think, too often, my friends on the other side of the aisle are always happy to subsidize what they can regulate and control.

I would say to my friends on my side of the aisle that I respect your opinion,

and I hope you respect mine; but I think there is a better way to promote exports. I think there is a better way to promote jobs. It has everything to do with regulatory reform. It has to do with the REINS Act. It has everything to do with fundamental tax reform, which, according to the National Association of Manufacturers, is half of our competitive disadvantage. It has everything to do with litigation reform. We have greater remedial costs than do our green energy European competitors.

There is a better way, and there is a more fair way to come to this floor. As for whatever you think of the process of the Financial Services Committee, if this is going to come to the floor, every Member ought to be allowed to have an amendment, and we should reject this discharge petition.

Mr. Speaker, I yield back the balance of my time.

Mr. FINCHER. Mr. Speaker, I yield my remaining 2 minutes to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. Mr. Speaker and colleagues, why are we here tonight? Why are we compelled to engage in this process?

The circumstances, perhaps, might be a little bit like 1910. Do you remember 1910? A dictatorial Speaker who was so totally in control and who so totally refused to accept input from the membership made himself chairman of the Rules Committee, too. He stymied the legislative process. He brought it to a stop.

What did our predecessors do 100-plus years ago?

They finally rose up together and threw him out, and they created a process by which no dictatorial chairman, no dictatorial Speaker would ever be able to fully thwart the will of this body.

It is amazing. That is what we are here for. It is to continue one century later the responsible actions that they put into place.

Now, some of my friends have asked, "Why don't we have thousands of amendments?" Think about 1910—a dictatorial Speaker, a dictatorial committee chairman. Under no circumstances was Uncle Joe going to allow any input. So, when they created this process, they had to make sure that the bill could come to the floor for consideration in a way that would not allow it to be manipulated by that same dictatorial attitude. We are operating under the present version of that rule.

If we had wanted unlimited amendments, we should have spent an unlimited amount of time in the committee of jurisdiction, working on those amendments, but that opportunity never availed itself. Had that opportunity availed itself, we wouldn't be here; but we are here. We have a bill that reflects, I believe—and that a majority of us in this House believes—what is in the best interest of America's workers and America's

businesspeople in our competitive spirit.

I simply say to you that to talk about the things we should be doing tonight that should have been done a month ago or a year ago seems most inappropriate. So, my friends, in a moment, let's honor the people who were on this floor in 1910. Let's say, "Joe, you can't have your way then or now." Let's pass the discharge; let's pass the rule; and let's get on with the bill debate.

The SPEAKER pro tempore. All time has expired.

The question is on the motion offered by the gentleman from Tennessee (Mr. FINCHER) to discharge the Committee on Rules from the further consideration of House Resolution 450.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HENSARLING. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 246, nays 177, not voting 11, as follows:

[Roll No. 569]

YEAS—246

Adams	DeGette	Katko
Aderholt	Delaney	Keating
Aguilar	DeLauro	Kelly (IL)
Amodei	DelBene	Kelly (PA)
Ashford	Dent	Kennedy
Barletta	DeSaulnier	Kildee
Bass	Deutch	Kilmer
Beatty	Dingell	Kind
Becerra	Doggett	King (NY)
Bera	Dold	Kinzinger (IL)
Beyer	Doyle, Michael	Kirkpatrick
Bishop (GA)	F.	Knight
Blumenauer	Duckworth	Kuster
Bonamici	Edwards	Langevin
Bost	Ellison	Larsen (WA)
Boustany	Ellmers (NC)	Larson (CT)
Boyle, Brendan	Engel	Lawrence
F.	Eshoo	Lee
Brady (PA)	Esty	Levin
Brown (FL)	Farr	Lewis
Brownley (CA)	Fattah	Lieu, Ted
Buchanan	Fincher	Lipinski
Bucshon	Foster	LoBiondo
Bustos	Frankel (FL)	Loeb sack
Butterfield	Fudge	Lofgren
Capps	Gabbard	Long
Capuano	Galleo	Lowenthal
Cárdenas	Garamendi	Lowe
Carney	Gibson	Lucas
Carter (GA)	Graham	Luetkemeyer
Cartwright	Graves (MO)	Lujan Grisham
Castor (FL)	Grayson	(NM)
Castro (TX)	Green, Al	Lujan, Ben Ray
Chu, Judy	Green, Gene	(NM)
Cicilline	Grijalva	Lynch
Clark (MA)	Gutiérrez	MacArthur
Clarke (NY)	Hahn	Maloney
Clay	Hanna	Carolyn
Cleaver	Hardy	Maloney, Sean
Clyburn	Harper	Marino
Cohen	Hartzler	Matsui
Cole	Hastings	McCollum
Collins (NY)	Heck (WA)	McDermott
Connolly	Herrera Beutler	McGovern
Conyers	Higgins	McNerney
Cooper	Himes	Meehan
Costa	Hinojosa	Meeks
Costello (PA)	Honda	Meng
Courtney	Hoyer	Mica
Cramer	Huffman	Moolenaar
Crenshaw	Hunter	Moore
Crowley	Israel	Moulton
Cuellar	Jackson Lee	Mullin
Cummings	Jeffries	Murphy (FL)
Curbelo (FL)	Johnson (GA)	Nadler
Davis (CA)	Johnson (OH)	Napolitano
Davis, Danny	Johnson, E. B.	Neal
Davis, Rodney	Jolly	Newhouse
DeFazio	Kaptur	Nolan

Norcross	Russell	Thompson (PA)
O'Rourke	Ryan (OH)	Tiberi
Pallone	Sánchez, Linda	Titus
Pascarella	T.	Tonko
Pelosi	Sanchez, Loretta	Torres
Perlmutter	Sarbanes	Tsongas
Peters	Schakowsky	Turner
Peterson	Schiff	Van Hollen
Pingree	Schrader	Vargas
Pocan	Scott (VA)	Veasey
Poe (TX)	Scott, David	Vela
Polis	Serrano	Velázquez
Price (NC)	Sewell (AL)	Walz
Quigley	Sherman	Wasserman
Rangel	Simpson	Schultz
Reed	Sinema	Waters, Maxine
Reichert	Sires	Watson Coleman
Renacci	Slaughter	Weber (TX)
Rice (NY)	Smith (WA)	Welch
Richmond	Speier	Whitfield
Rigell	Stefanik	Wilson (FL)
Rogers (AL)	Stivers	Wilson (SC)
Roybal-Allard	Swalwell (CA)	Yarmuth
Ruiz	Takano	Young (AK)
Ruppersberger	Thompson (CA)	
Rush	Thompson (MS)	

NAYS—177

Abraham	Guthrie	Poliquin
Allen	Harris	Pompeo
Amash	Heck (NV)	Posey
Babin	Hensarling	Price, Tom
Barr	Hice, Jody B.	Ratcliffe
Barton	Hill	Ribble
Benish	Holding	Rice (SC)
Bilirakis	Hudson	Roby
Bishop (MI)	Huelskamp	Roe (TN)
Bishop (UT)	Huizenga (MI)	Rogers (KY)
Black	Hultgren	Rohrabacher
Blackburn	Hurd (TX)	Rokita
Blum	Hurt (VA)	Ros-Lehtinen
Brady (TX)	Issa	Ross
Brat	Jenkins (KS)	Rothfus
Bridenstine	Jenkins (WV)	Rouzer
Brooks (AL)	Johnson, Sam	Royce
Brooks (IN)	Jones	Ryan (WI)
Buck	Jordan	Salmon
Burgess	Joyce	Sanford
Byrne	Kelly (MS)	Scalise
Calvert	King (IA)	Schweikert
Carter (TX)	Kline	Scott, Austin
Chabot	Labrador	Sensenbrenner
Chaffetz	LaHood	Sessions
Clawson (FL)	LaMalfa	Shimkus
Coffman	Lamborn	Shuster
Collins (GA)	Lance	Smith (MO)
Comstock	Latta	Smith (NE)
Conaway	Loudermilk	Smith (NJ)
Cook	Love	Smith (TX)
Culberson	Lummis	Stewart
Denham	Marchant	Stutzman
DeSantis	Massie	Thornberry
Diaz-Balart	McCarthy	Tipton
Donovan	McCaul	Trott
Duffy	McClintock	Upton
Duncan (SC)	McHenry	Valadao
Duncan (TN)	McKinley	Wagner
Emmer (MN)	McMorris	Walberg
Farenthold	Rodgers	Walden
Fitzpatrick	McSally	Walker
Fleming	Meadows	Walorski
Flores	Messer	Walters, Mimi
Fortenberry	Miller (FL)	Webster (FL)
Fox	Miller (MI)	Wenstrup
Franks (AZ)	Mooney (WV)	Westerman
Frelinghuysen	Mulvaney	Westmoreland
Garrett	Murphy (PA)	Williams
Gibbs	Neugebauer	Wittman
Gohmert	Noem	Womack
Goodlatte	Nugent	Woodall
Gosar	Nunes	Yoder
Gowdy	Olson	Yoho
Granger	Palazzo	Young (IA)
Graves (GA)	Palmer	Young (IN)
Graves (LA)	Paulsen	Zeldin
Griffith	Perry	Zinke
Grothman	Pittenger	
Guinta	Pitts	

NOT VOTING—11

Carson (IN)	Forbes	Roskam
Crawford	Payne	Takai
DesJarlais	Pearce	Visclosky
Fleischmann	Rooney (FL)	

□ 1924

Messrs. SHUSTER and JOYCE changed their vote from "yea" to "nay."

Mrs. NAPOLITANO changed her vote from "nay" to "yea."

So the motion to discharge was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. CARSON of Indiana. Mr. Speaker, on rollcall No. 569, had I been present, I would have voted "yes."

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 450

Resolved, That immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the bill (H.R. 597) to reauthorize the Export-Import Bank of the United States, and for other purposes. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of H.R. 3611, as introduced, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services or their respective designees; and (2) one motion to recommit with or without instructions.

SEC. 2. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 597.

The SPEAKER pro tempore. The gentleman from Tennessee is recognized for 1 hour.

Mr. FINCHER. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, there has been a lot of conversation here tonight about what we are doing and how this happened and what we are going to do next.

Mr. Speaker, the reason why we are here tonight, I didn't sign up to come to Washington from Frog Jump, the place I live, to do discharge petitions. The reason I did come to Washington was to work for my district and try to make sure that hardworking men and women all over this country and my district have jobs.

Mr. Speaker, that is what the Export-Import Bank does. It helps create thousands of jobs, specifically, 200,000 jobs each year.

Now, let me be clear because there has been a lot of misconception or misperception, whatever you want to say, about what this costs the taxpayer. Mr. Speaker, this is at no cost to the U.S. taxpayer. In fact, the Export-Import Bank returned \$675 million to the U.S. Treasury in fiscal year 2014. In 2013, it returned more than \$1 billion, Mr. Speaker.

This is not a minority procedure, this is not a Democrat procedure that is happening tonight. This is a Republican-led position. This is a Republican reform bill that we are doing.

□ 1930

More reforms than have been done in probably 50 years. I haven't looked specifically, but I think President Reagan did a lot, and other Presidents have done them.

But this is about jobs, Mr. Speaker. Think about this. We go home to our districts every weekend, and we talk to constituents every weekend. Think about constituents that come up to us and say: Congressman, have you balanced the budget? We say: No, we are working on it, but we haven't done it yet.

I don't want to offend any of my colleagues on the other side of the aisle. I am probably going to, but I don't mean it. Our constituents say: Well, Congressman, have you repealed ObamaCare? I say: Well, no, not yet, but we are working on it.

Then they look at us and they say: Tell me, Congressman, you have done away with the only thing that we know of that helps create thousands of jobs all over this country and possibly would help create the job that they had because of some ideology or some conservative group that is scoring a Member of Congress, and now I don't have a job, and I am on unemployment.

Mr. Speaker, our constituents and hardworking Americans deserve better. They deserve better than Members of Congress playing political games because of scorecards.

I serve under one of the most principled chairmen, probably the most principled chairman in Congress, and I agree with him on 99.9 percent of everything that we do in our committee. We just happen to disagree on this one issue. My chairman is passionate and principled, and I never would doubt that.

Mr. Speaker, I won't take much more time. If America is going to get out of the hole we are in as a country, then Congress must start working together. Mr. Speaker, we should applaud. We should be happy on the day—and I don't want to offend the gentlewoman from California who spoke earlier, but we should be happy on the day when Democrats want to join Republicans on legislation that helps move the country forward. They are clapping, that is awesome.

We are trying to do what we think is best, and the Export-Import Bank doesn't cost the taxpayers a dime. It helps create thousands of jobs all over this country and makes sure we don't lose thousands of jobs to 60 other countries that have these credit agencies.

Mr. Speaker, I don't know what else to say. This is regular order, this closed rule. I am going to close in 10 seconds, but this is all about regular order. We could have had amendments. We could have had a thousand amendments in our committee, but we chose to go this route. We didn't choose it. Some of us chose to go this route. We are dealing with this today. Our constituents deserve better, and we have to do better.

With that, Mr. Speaker, I urge my colleagues to support the rule and the underlying bill.

I yield back the balance of my time, and I move the previous question on the resolution.

PARLIAMENTARY INQUIRIES

Mr. HENSARLING. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Texas will state his parliamentary inquiry.

Mr. HENSARLING. Mr. Speaker, the resolution before the House is H. Res. 450 which, as I understand it, would establish the rule for debate on this Ex-Im reauthorization bill, that it does not make in order any amendments.

The closed rule means that in addition to not having any debate on the rule—since all time has now been yielded back, with no other Member having a chance to speak—Members have been denied their chance to participate in that part of the process.

My parliamentary inquiry is whether there is any way, at this juncture, for Members to amend the resolution, H. Res. 450, to give Members an opportunity to offer amendments to the underlying Ex-Im reauthorization bill?

The SPEAKER pro tempore. The Chair was about to put the question on ordering the previous question.

If the motion for the previous question was rejected, there would be a potential for further debate on, or amendment to, House Resolution 450.

Mr. HENSARLING. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HENSARLING. So, if the previous question is defeated, then a Member who is opposed to the previous question would be afforded the opportunity to offer an amendment to H. Res. 450 that would strike the text of the closed, no amendments rule and replace it with the text of a rule that provided for consideration of the underlying Ex-Im reauthorization bill through an open process, with time for debate, where any Member—either Republican or Democrat—could offer germane amendments to the bill. Is that correct, Mr. Speaker?

The SPEAKER pro tempore. The Chair cannot respond to specific hypotheticals, but if the motion for the previous question were rejected, there would be potential for further debate on, or amendment to, House Resolution 450.

Mr. HENSARLING. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HENSARLING. If the previous question is defeated, may I or any Member who votes against the previous question claim time to offer such an amendment to create an open rules process for consideration of the underlying Ex-Im reauthorization bill where Members on both sides of the aisle can offer amendments to the bill?

The SPEAKER pro tempore. The Chair cannot judge that at this time.

Mr. HENSARLING. I thank the Speaker.

Mr. MULVANEY. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. MULVANEY. A few minutes ago, in reference to a question raised by the gentleman from Texas, you indicated that the amendments would be in order if the motion for the previous question failed.

My question is: Are motions to amend in order before the motion for the previous question comes to the floor?

The SPEAKER pro tempore. The previous question has preferential standing.

Mr. MULVANEY. Mr. Speaker, I have an amendment at the desk. I would like to have it heard now.

The SPEAKER pro tempore. The previous question has already been moved.

Mr. MULVANEY. No, it hasn't.

The SPEAKER pro tempore. The Chair is about to put the question on ordering the previous question on the resolution.

Mr. MULVANEY. Mr. Speaker, parliamentary inquiry. Who moved the previous question?

The SPEAKER pro tempore. The gentleman from Tennessee.

Mr. MULVANEY. Was that seconded?

The SPEAKER pro tempore. The previous question does not require a second.

Mr. MULVANEY. Mr. Speaker, I have an amendment at the desk. I would simply like to ask what rule the Chair is relying on in denying me the ability to bring that amendment now.

The SPEAKER pro tempore. Clause 4 of rule XVI.

The question is on ordering the previous question on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HENSARLING. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1090, RETAIL INVESTOR PROTECTION ACT

Mr. COLLINS of Georgia, from the Committee on Rules, submitted a privileged report (Rept. No. 114-313) on the resolution (H. Res. 491) providing for consideration of the bill (H.R. 1090) to amend the Securities Exchange Act of 1934 to provide protections for retail customers, and for other purposes, which was referred to the House Calendar and ordered to be printed.